



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF  
STATE PLANNING COORDINATION

October 27, 2004

Mr. Peter Diakos  
Town of Cheswold  
P.O. Box 220  
Cheswold, DE 19936

RE: PLUS 2004-05-04; Stonington

Dear Mr. Diakos:

On October 6, 2004, the Office of State Planning received a copy of the letter sent to you from Davis, Bowen, and Friedel responding to PLUS comments on PLUS review 2004-05-04, the Stonington project.

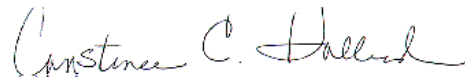
We acknowledge that the developer has read and responded to all State agency comments regarding this project. However, we continue to have the following specific concerns regarding this project:

1. As of the date of the letter, September 9, 2004, the TIS had not been completed by DelDOT and no road improvement recommendations have been made. The Town should work with DelDOT to ensure that all necessary road improvements are in place before building permits are issued.
2. Because the wetlands and associated upland forest provide important water quality and habitat benefits, DNREC asked that a 100' vegetated buffer should be employed from the edge of all wetlands and waterbodies. It was noted in our letter that a 100' buffer already exists on this parcel in many areas, however, where it does not exist DNREC ask that one be established using native trees and shrubs. The State acknowledges that the developer has met Kent County standards by providing 25' buffers; however, we still feel that 100' buffers are appropriate for this area and ask that the Town consider this as you move forward with site plan approval. We appreciate the fact that the Developer has made sure that there are no residential lot lines in the wetlands and their associated buffers.

3. DNREC noted that lots 356 – 360 have existing drainage thru them. DNREC asked that if the lots are filled and sold, a statement be placed on the deed that the property has filled wetlands and future drainage problems are likely. The developer has responded that the statement has not been placed on the record plan. In the past several years, many residents in Kent County, specifically in your area, have experienced drainage and flooding issues and it has been a struggle for the owner to determine who to turn to for resolution in the matter because the developer was no longer working in that area. The Town of Cheswold should require a notice in the record plan so that future owners are aware of the potential problems with these lots. This step may save the Town, the County, and possibly the developer, from homeowner complaints if these lots should flood.

If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in cursive script that reads "Constance C. Holland".

Constance C. Holland  
Director

CC: Davis, Bowen, & Friedel  
Rodney Mitchell